

REMARKS

By this Amendment, claim 3 is amended. Support for the changes to claim 3 can be found, *inter alia*, in Figure 13. No new matter has been added. Claims 1, 2 and 9-12 were canceled previously. Claims 5-8 stand withdrawn from consideration. Claims 3 and 4 are presented for further examination.

The rejection of claim 3 under 35 U.S.C. § 102(b) over JP06085510 (“Genma”), the rejection of claim 3 under 35 U.S.C. § 103(a) over Genma in view of U.S. Patent No. 5,017,509 (“Tuckerman”), and the rejection of claim 4 over Genma or Genma in view of Tuckerman further in view of U.S. Patent No. 6,611,237 (“Smith”), is respectfully traversed. are respectfully traversed.

As amended, claim 3 requires, *inter alia*, (i) etching the dielectric film to be a ***continuous*** transmission line, and (ii) forming a second sacrificial layer on ***and in contact with*** the dielectric film and the first sacrificial layer. Such elements are neither disclosed nor suggested by Genma or Genma in view of Tuckerman.

The Office Action asserts that the “resist (not shown)” of Genma corresponds to the second sacrificial layer of claim 3. According to paragraph [0014] of Genma, “The portion which should form the 2nd conductor thin film 4 on the substrate containing the support 3 at a thickness of about 2 micrometers, and also should form resist (not shown), and should be made the signal transmission line 4 is patterned.” Thus, Applicant respectfully submits that the resist of Genma is formed on the second conductor thin film 4 of Genma.

Therefore, the resist of Genma does **not** correspond to the second sacrificial layer of claim 3, which is formed on **and in contact with** the dielectric film and the first sacrificial layer. (See, for example, FIG. 13).

The Office Action further asserts that insulator layer 3a of Genma corresponds to the dielectric film of claim 3. Applicant respectfully submits that insulator layer 3a of Genma is not a transmission line. Rather, insulator layer 3a of Genma is etched to form supports 3 of transmission line 4. The supports 3 are separated by intervals (*i.e.*, a_1 , a_2 , a_3). In contrast, the dielectric film of claim 3 is a **continuous** transmission line.

Tuckerman, cited for disclosing forming a conductive layer on a dielectric, fails to remedy the above-noted deficiencies of Genma. In particular, the proposed combination of Genma and Tuckerman fails to disclose or suggest, *inter alia*, (i) etching a dielectric film to be a **continuous** transmission line, and (ii) forming a second sacrificial layer on **and in contact with** a dielectric film and a first sacrificial layer.

Smith, cited for disclosing a MEMS formed in a substrate, fails to remedy the above-noted deficiencies of Genma. Claim 4 is deemed allowable at least for the reasons that independent claim 3 is allowable.

Because the cited references fail to disclose or suggest all of the presently claimed steps, reconsideration and withdrawal of the rejections are respectfully requested.

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #101249.55938US).

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